

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

HAROLD B. WILSON,

Plaintiff,

vs.

MICHELLE WILHELM, Warden, all in official & personal capacity; CHELSEA TRUBRSLY, Ast. Director of NSN, all in official & personal capacity; DR. DEAL, Chief Medical Officer DCS, all in official & personal capacity; and ROBERT MADSEN, Last Director of DCS, all in official & personal capacity;

Defendants.

**8:20CV387**

**ORDER**

Plaintiff has filed a Motion for Refund (filing 7) and a Motion for Status (filing 8) regarding his refund. Plaintiff previously sent two checks to the court in the amounts of \$350.00 and \$100.00 for the \$400.00 filing fee in this case, resulting in an overpayment of \$50. I shall deny Plaintiff's Motion as moot because the Clerk of Court has made an entry on the court's docket sheet for this case stating, "The plaintiff's institution, SPR-NEBRASKA, Nebraska State Penitentiary, is notified that an overpayment has been received in this case. A refund check in the amount of \$49.97<sup>1</sup> will be forthcoming. The institution is directed to cease collection of payments in this case." (Docket Sheet Entry, Case No. 8:20CV387 (D. Neb. Jan. 8, 2021).) Accordingly,

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<sup>1</sup> The court applied \$.03 of Plaintiff's overpayment to Case No. 8:18CV584 as Plaintiff owed \$0.03 in that case.

IT IS ORDERED that:

1. Plaintiff's Motion for Refund (filing 7) and Motion for Status (filing 8) are denied as moot.
2. The clerk of the court is directed to send a copy of this Memorandum and Order to: (a) Plaintiff; (b) the appropriate financial official at Plaintiff's institution; and (c) the Financial Administrator of this court.
3. Plaintiff is advised that the next step in his case is for the court to conduct an initial review of Plaintiff's claims to determine whether summary dismissal is appropriate under 28 U.S.C. § 1915(e)(2). The court will conduct this review in its normal course of business.

Dated this 11th day of January, 2021.

BY THE COURT:

*Richard G. Kopf*  
Richard G. Kopf  
Senior United States District Judge